

SENATE JUDICIARY  
Exhibit No. 2  
Date: 2/18/15  
Bill No. HB 207

## DOJ vs. Fox News Reporter James Rosen

By Jonathan Karl

May 20, 2013 6:39pm

WASHINGTON — In yet another Justice Department leak investigation of journalists, DOJ reportedly seized emails and phone records of Fox News correspondent James Rosen, and even tracked his comings and goings into the State Department by tracking when he scanned his ID at the building's entrance.

The story was first reported this morning by the Washington Post.

Court documents in the case quote extensively from Rosen's personal emails in making the case against the alleged leaker, former State Department adviser Stephen Jin-Woo Kim. The New Yorker has posted the documents online.

It was all part of an investigation into a story Rosen did in 2009 about intelligence officials warning that North Korea was likely to respond to U.N. sanctions with more nuclear tests. Kim was one of 95 people who saw the intelligence report.

For First Amendment advocates, the most chilling part of the court documents is the suggestion by DOJ that Rosen was "an aider and abettor and/or co-conspirator in the crime" because he was trying to get the information, which was classified, from his source. Seeking sensitive and secret information is something reporters do every day.

The Rosen story, of course, comes after news the Justice Department had also subpoenaed the phone records of 20 employees of The Associated Press a different leak investigation.

<http://abcnews.go.com/blogs/politics/2013/05/doj-vs-fox-news-reporter-james-rosen/>

## **AP blasts feds for phone records search**

By Matt Smith and Joe Johns, CNN

Updated 10:19 AM ET, Tue May 14, 2013

The Justice Department secretly collected two months of telephone records for reporters and editors at The Associated Press, the news service disclosed Monday in an outraged letter to Attorney General Eric Holder.

The records included calls from several AP bureaus and the personal phone lines of several staffers, AP President Gary Pruitt wrote. Pruitt called the subpoenas a "massive and unprecedented intrusion" into its reporting.

"These records potentially reveal communications with confidential sources across all of the newsgathering activities undertaken by the AP during a two-month period, provide a road map to AP's newsgathering operations and disclose information about AP's activities and operations that the government has no conceivable right to know," wrote Pruitt, the news agency's CEO.

The AP reported that the government has not said why it wanted the records. But it noted that U.S. officials have said they were probing how details of a foiled bomb plot that targeted a U.S.-bound aircraft leaked in May 2012. The news agency said records from five reporters and an editor who worked on a story about the plot were among those collected, but it said none of the information the government has shared with it suggested agents listened in on any reporters' calls.

The news immediately raised questions among members of Congress.

<http://www.cnn.com/2013/05/13/us/justice-ap-phones/index.html>